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TRANSMITTAL FORM

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Total Number of Pages in This Submission

Application Number

10/735,333

Filing Date

12/12/2003

First Named Inventor

DR. ABHINAV AGGARWAL

Art Unit

3626

Examiner Name

MR. VIVEK D KOPPIKAR

Attorney Docket Number

ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐

Reply to Missing Parts/
Incomplete Application

☐

Reply to Missing Parts
under 37 CFR 1.52 or 1.53

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Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐

Petition to Convert to a
Provisional Application

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Power of Attorney, Revocation

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Change of Correspondence Address

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Terminal Disclaimer

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CD, Number of CD(s) _____

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Landscape Table on CD

Remarks

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After Allowance Communication to TC

☐

Appeal Communication to Board
of Appeals and Interferences

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Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☒

Status Letter

Other Enclosure(s) (please identify
below):

RESPONSE TO
EXAMINER
OBSERVATIONS

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Signature

Ashtin

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DR. ABHINAV AGGARWAL

Date

10/08/2008

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100 Saint Ayers Way
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Dated: October 8th, 2008

Mr. Vivek D Koppikar
Examiner
ART Unit 3626
Commissioner for Patents
USPTO, PO Box 1450
Alexandria, Virginia 22313-1450

Subject: patent application 10/735,333 filing date 12/12/2003

Reference: your letter dated 07/11/2008

Dear Mr. Koppikar:

It was very nice to talk with you over the phone, and your kind guidance in improving this patent application is sincerely appreciated.

As advised, your observations have been noted, and necessary modifications made as following:

1. Claims have been revised in accordance with one sentence limit, and now focused on describing the system or method, as applicable, in accordance with enablement requirement.
2. Also, the scope of being indefinite in claims interpretation has been addressed, as advised in your letter.
3. Abstract limited to within 150 words.

No changes are made to the description section, invention summary, or any other sections not included in the above list 1 through 3.

With regard to your observations about claim rejection in view of the previously granted patent reference cited by you, Tam (6,968,457), it is to bring to your kind notice that this invention is different in the sense that this application specifies a schema to issue a unique identification for every human being on the planet, and that there is no similarity between this application and Tam (6,968,457).

Please note that Tam (6,968,457) does not specify any system and method to issue a unique universal identification number (UIN) in a manner that each and every specific individual on the planet can be uniquely identified by the number specification. Instead, Tam (6,968,457) relies upon the collection of biometric data and then allocation of a PIN (Personal Identification Number) in a manner

that the specific biometric data can be related to the PIN. Also, Tam (6,968,457) does not specify any unique procedure for allocation of the PIN.

The current invention (10/735,333) gives the schema stated in attachments 1 and 2 of the application that specifically cites an algorithm to generate a unique UIN.

Also, please note that Tam (6,968,457) gives the method to verify personal identity biometric data and access it in a secure manner by pre-defined finger print sequence, and it is in no way connected to issuing a unique identification number to every single individual on the planet.

The intent and scope of the two applications Tam (6,968,457) and current invention (10/735,333) is radically different.

For example, The PINs currently issued by banks to use the ATM (Automated Teller Machines) by credit cards can be further verified by the procedure set forth by Tam (6,968,457), if appropriate finger print scanners/readers were attached to ATM machines, but Tam (6,968,457) fails to define the specifics of the system and method to issue a PIN. To that extend, any generic PIN issuing schematic can be conflicting with the claims made by Tam (6,968,457).

In the present application, the focus of invention is to define an algorithm that generates a very specific and unique alpha-numeric number that can uniquely identify a person on the planet, irrespective of nationality, geographic location, or any other considerations.

The focus of Tam (6,968,457) is to get a PIN associated with a file of biometric and other personal identification data collected from the user. This PIN is just to make sure that the right folks can get to the right data, just like the PIN associated with an ATM access, where PIN acts like a secured access code. To that extend, it is even likely that there can potentially be identically PINs if the user is allowed to pick a PIN by choice (for instance any 4 digit combination). If so, then PIN is only a second identifier to authenticate a pre-assigned User Id.

In contrast, the objective of UIN in current application is to serve as a unique Global Cross- Reference Identifier, and a UIN is issued only once to each UIN holder/applicant. Also, UIN is meant to uniquely identify any specific individual across the planet, irrespective of nationality or origin.

In essence, Tam (6,968,457) suggests a method to secure the biometric and other confidential data by use of a PIN. Tam (6,968,457) does not propose a unique identification number for every specific individual human being on the planet.

Though there is scope of interpretation of certain similarities related to public and confidential databases between the present invention and Tam (6,968,457),

these similarities are only specific to the type of data collected, and are not related to the manner in which this data is secured or the methods by which this data is either made available or accessed. Both inventions are very unique and different in the system and methods.

Further to the above clarifications, in response to your observations noted in pages 5 through 7 as Claim rejections under section 35 USC 102 and 35 USC 102 (e) of your letter dated 07/11/2008, sections 4 and 5 (A) through (F), kindly note that the observations made assume that Tam teaches a system and method to issue a UIN, where as Tam (6,968,457) is in fact precisely the definition of a method to securely access the previously collected biometric data, and raise a distress signal in the event of a threat when it is apprehended that the data transmitted could potentially be compromised by using an ordered fingerprint sequence, and bears no commonality to the invention covered by this application. Since the present application is a system and method to issue a unique identification number to every human being on the planet, it is different both in intent as well as content than Tam (6,968,457).

Also, per your observations made on pages 7 through 8 of your letter as Claim rejections under USC 103, please note that the invention in current application is not obvious by modifying the teachings of Tam (6,968,457) as both the intent and content of Tam and current application are very different. While the focus of this application is to define a system and method to issue an identification number to uniquely identify each human being on the planet, Tam focuses on securely accessing biometric data by using human fingerprints in a particular pre-defined and memorized sequence and raising a distress signal by use of a specific fingerprint sequence if it is apprehended that the data could be compromised.

I hope that the above clarifications and changes made to the claims address all your observations. Kindly let me know if there remains anything that still needs to be addressed, or if you have any further observations.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Abhinav', with a stylized flourish at the end.

Abhinav Aggarwal, Ph.D.

USPTO Customer No. 59597

Enclosure: Revised Claims and Abstract